REMARKS

Claims 1-9 and 11-31 are pending in the application. Claims 1-9 and 11-31 stand rejected. Claim 10 has been previously cancelled. New claims 32-36 have been added.

Claims 1, 7, 13, 21, 26, 30 and 31 have been amended to add the feature of load balancing to route data over the system. Support for this can be found at least in paragraph [0121] of the specification.

New claim 32 includes the element of an asynchronous system with messages prioritized to provide synchronous communication over the asynchronous system. Support for this can be found at least in paragraph [0117] of the specification.

New claim 33 includes the element of nodes compartmentalized into logical groups. Support for this can be found at least in paragraph [0086] of the specification.

New claim 34 includes the element that communication in one logical group does not disturb communication in another logical group. Support for this can be found at least in paragraph [0086] of the specification.

New claim 35 includes the element of at least one node being a repeater. Support for this can be found at least in paragraph [0125] of the specification.

New claim 36 includes the element of at least one node being in communication with one or more seismic vibrators. Support for this can be found at least in paragraph [0125] of the specification and Figure 5.

No new matter has been added. Reconsideration of the application is respectfully requested. The Examiner's rejections are addressed below in substantially the same order as in the office action.

Claim Rejections - 35 USC § 102

Claims 1-9, 12-15, 18-29, and 30-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Sorensen, (U.S. Patent Application 2002/0061009). Claim 10 stands cancelled.

The Examiner states the following:

> Regarding claims 1, 7, 13, and 30 - 31, Sorenson teaches of a wireless communication system, a method of wireless communications, and a wireless communication apparatus comprised of nodes (Abstract), with; a) a serverless physical layer, (3: [0032], read ad-hoc), b) a virtual layer (3: [0033], read second node determines whether to establish the connection between the first node and the second node based upon the comparison); and c) an application layer comprising a plurality of independently operating applications. (Figure 5 and 1: [0012]). The wireless communication system taught by Sorensen can be used for applications such as seismic data acquisition of nodes, the network comprised of nodes. (see Figure 6).

For a claim to be anticipated by a prior art reference, the reference must show or disclose each and every feature of the claim as provided in the claim. The Applicants submit that none of the independent claims is anticipated because Sorensen does not show or disclose at least one feature contained in each of the independent claims, as explained below:

Claim 1 as amended includes the feature of wherein load balancing is used to route data over the system. This is not disclosed in Sorensen. Thus, amended claim 1 is not anticipated by Sorensen. Additionally, Sorensen does not teach, disclose or suggest any modifications that would make claim 1 obvious. Therefore, it is respectfully requested that the rejection of claim 1 under 35 USC § 102(e) over Sorensen be withdrawn.

Claims 2-6 and 20 depend from claim 1 and are not anticipated by Sorensen for the reasons specified with respect to claim 1.

Claim 7 has been amended in a manner similar to claim 1. Therefore, claim 7 is not anticipated by Sorensen for the same reasons provided above with respect to claim 1. Accordingly, the Applicants respectfully request that the rejection of claim 7 under 35 USC § 102(e) over Sorensen be withdrawn.

Claims 8-9 and 12 depend from claim 7 and are not anticipated by Sorensen for the reasons specified with respect to claim 7.

Claim 13 has been amended in a manner similar to claim 1. Therefore, claim 13 is not anticipated by Sorensen for the same reasons provided above with respect to claim 1. Accordingly, the Applicants respectfully request that the rejection of claim 13 under 35 USC § 102(e) over Sorensen be withdrawn.

Claims 14-15 and 18-19 depend from claim 13 and are not anticipated by Sorensen for the reasons specified with respect to claim 13.

Claim 21 has been amended in a manner similar to claim 1. Therefore, claim 21 is not anticipated by Sorensen for the same reasons provided above with respect to claim 1. Accordingly, the Applicants respectfully request that the rejection of claim 21 under 35 USC § 102(e) over Sorensen be withdrawn.

Claims 22-25 depend from claim 21 and are not anticipated by Sorensen for the reasons specified with respect to claim 21.

Claim 26 has been amended in a manner similar to claim 1. Therefore, claim 26 is not anticipated by Sorensen for the same reasons provided above with respect to claim 1. Accordingly, the Applicants respectfully request that the rejection of claim 26 under 35 USC § 102(e) over Sorensen be withdrawn.

Claims 27-29 depend from claim 26 and are not anticipated by Sorensen for the reasons specified with respect to claim 26.

Claim 30 has been amended in a manner similar to claim 1. Therefore, claim 30 is not anticipated by Sorensen for the same reasons provided above with respect to claim 1. Accordingly, the Applicants respectfully request that the rejection of claim 30 under 35 USC § 102(e) over Sorensen be withdrawn.

Claim 31 has been amended in a manner similar to claim 1. Therefore, claim 31 is not anticipated by Sorensen for the same reasons provided above with respect to claim 1. Accordingly, the Applicants respectfully request that the rejection of claim 31 under 35 USC § 102(e) over Sorensen be withdrawn.

Claim Rejections - 35 USC § 103

The Examiner has rejected claims 11, 16-17 under 35 U.S.C. 103(a) as being unpatentable over Sorensen (U.S. Patent Application 2002/0061009) in view of Murto et al. (U.S. Patent Application US 2004/0213409), hereafter Murto.

In rejecting claim 16, the Examiner states the following:

> Sorenson teaches of a wireless communication apparatus comprised of.nodes (Abstract), with; a) a serverless physical layer, (3: [0032], read ad-hoc), b) a virtual layer (3: [0033], read second node determines whether to establish the connection between the first node and the second node based upon the comparison); and c) an application layer comprising a plurality of independently operating applications. (Figure 5 and 1: [0012]).
> However, Sorenson does not specifically teach of a GPS receiver as an embodiment of application layer.
> Murto teaches of a Global Positioning Satellite (GPS) Wireless Application Protocol (WAP) (3: [0037] and Figure 1) used in conjunction with a Universal Description, Discovery and Integration (UDDI) registry that enables users to quickly, easily and dynamically find businesses and services on the Internet.
> It would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains to modify the ad-hoc wireless teachings of Sorenson to include the GPS Wireless Application Protocol (WAP) teachings of Murto.

The Applicants submit that Murto does not teach, disclose or suggest the feature of wherein load balancing is used to route data over the system, as in claim 13 from which claim 16 depends. Therefore, Sorensen and Murto taken alone or in combination do not teach, disclose or suggest all of the elements of claim 16. Accordingly, the Applicants submit that claim 16 is not obvious in view of Sorensen, Murto and the prior art of record.

Claims 11 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sorensen, (U.S. Patent Application 2002/0061009) in further view of Zhang, Second International Conference on Mobile Data Management, pg 233-234, Introduction, Hong Kong in January 2001, hereafter Zhang.

However, Zhang does not teach, disclose or suggest the feature of wherein load balancing is used to route data over the system, as in claims 7 and 13 from which claims 11 and 17 depend, respectively. Therefore, Sorensen and Zhang taken alone or in combination do not teach, disclose or suggest all of the elements of claims 11 and 17. Accordingly, the Applicants submit that claims 11 and 17 are not obvious in view of Sorensen, Zhang and the prior art of record.

New Claims

New claim 32 includes the features of claim 1 and further includes that the system of claim 1 is asynchronous and messages are prioritized to provide synchronous communication over the asynchronous system. This is not shown or disclosed in any of Sorensen, Murto and Zhang. Therefore, claim 32 is patentable over Sorensen, Murto and Zhang.

New claim 33 includes the features of claim 1 and further includes that the nodes are compartmentalized into logical groups. This is not shown or disclosed in any of Sorensen, Murto and Zhang. Therefore, claim 33 is patentable over Sorensen, Murto and Zhang.

New claim 34 includes the features of claim 33 and further includes that communication in one logical group does not disturb communication in another logical group. This is not shown or disclosed in any of Sorensen, Murto and Zhang. Therefore, claim 34 is patentable over Sorensen, Murto and Zhang.

New claim 35 includes the features of claim 1 and further includes that at least one node is a repeater node. This is not shown or disclosed in any of Sorensen, Murto and Zhang. Therefore, claim 35 is patentable over Sorensen, Murto and Zhang.

New claim 36 includes the features of claim 1 and further includes that the at least one node is in communication with one or more seismic vibrators. This is not shown or disclosed in any of Sorensen, Murto and Zhang. Therefore, claim 36 is patentable over Sorensen, Murto and Zhang.

CONCLUSION

For all the foregoing reasons, Applicants submit that the application is in condition for allowance and such action is requested. The Commissioner is hereby authorized to charge any fee due for these amendments to **Deposit Account No. 13-0010 (IO-1090US)**.

Respectfully submitted,

Date: March 12, 2008

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